

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRYL BOND, et al.,

Plaintiffs,

v.

C R BARD INCORPORATED, et al.,

Defendants.

Case No. 1:20-cv-00444-DAD-BAM

**ORDER REGARDING JOINT MOTION
TO EXTEND STAY OF DISCOVERY AND
ALL PRETRIAL DEADLINES**

(Doc. No. 28)

On March 27, 2020, this case was transferred to this Court from the United States District Court for the District of Arizona. (Doc. No. 6.) On June 17, 2020, pursuant to the parties' stipulation, the Court continued the Initial Scheduling Conference in this case to September 16, 2020 and stayed all discovery and pretrial deadlines until the Initial Scheduling Conference in order to allow the parties to engage in settlement discussions. (Doc. No. 24.) The Court's order advised the parties that if they filed a notice of settlement prior to the conference, then the conference would be vacated. (*Id.*)

Currently before the Court is the parties' stipulation seeking to further continue the Initial Scheduling Conference and the stay of discovery and pretrial deadlines for an additional 120 days. (Doc. No. 28.) According to the parties' stipulation, the continuance is necessary because the parties engaged in mediation and "recently agreed on the terms of the settlement." (*Id.*) The parties represent that they will need two to three months to facilitate and finalize the settlement conference for this case as well as numerous other cases that were settled in the mediation. (*Id.*)

Having considered the stipulation, and to accommodate the Court's calendar, the Court will grant the parties' request in part. However, counsel is reminded of their obligation pursuant to Local Rule 160 to **immediately** file a notice of settlement if this action has been settled or

1 otherwise resolved by agreement of the parties. Local Rule 160(a). If a notice of settlement is
2 filed, all pending dates and matters will be vacated. The parties' notice of settlement may for
3 good cause propose a date for filing dispositional documents that exceeds twenty-one (21) days
4 from the date of notification. *See* Local Rule 160(b).

5 Accordingly, IT IS HEREBY ORDERED that the Initial Scheduling Conference
6 currently set for September 16, 2020, is hereby continued to **December 9, 2020 at 09:30 AM**
7 **in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe**. All discovery and
8 pretrial deadlines in this action are hereby stayed until the Initial Scheduling Conference. The
9 parties shall file a Joint Scheduling Report in full compliance with the requirements set forth in
10 the Order Setting Mandatory Scheduling Conference and the Court's April 13, 2020 Minute
11 Order at least one (1) full week prior to the Scheduling Conference. (*See* Doc. Nos. 7, 18.) The
12 parties may appear at the conference by telephone with each party using the following dial-in
13 number and access code: ***dial-in number 1-877-411-9748; access code 3219139***. If the parties
14 file a notice of settlement prior to the conference, then the conference will be vacated.
15 However, if the parties are unable to reach a settlement, then the conference will proceed.

16
17 IT IS SO ORDERED.

18 Dated: **September 10, 2020**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE